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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,586	09/30/2003	Rene Lanteigne	P41403	1603

22839 7590 06/23/2004

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EXAMINER

DUNWOODY, AARON M

ART UNIT PAPER NUMBER

3679

DATE MAILED: 06/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/673,586

Applicant(s)

LANTEIGNE ET AL.

Examiner

Aaron M Dunwoody

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-20 is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 9/30/2003.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### DETAILED ACTION

This application is in condition for allowance except for the following formal matters:

The drawings are objected to because they lack the proper crosshatch. Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

***Allowable Subject Matter***

Claims 1-20 are allowed.

The following is an examiner's statement of reasons for allowance: **US patent 4906010, Pickering et al** disclose a joining assembly comprising a first conduit member for receiving and sealingly joining a second conduit member, the first conduit member comprising a central longitudinal axis; a generally radially extending conduit end surface; a first inner conduit surface extending generally parallel to the central longitudinal axis from the conduit end surface to a radially outward end of a second inner conduit surface; the second inner conduit surface extending generally radially from the first inner conduit surface to a third inner conduit surface; the third inner conduit surface extending generally parallel to the central longitudinal axis from the second inner conduit surface to a fourth inner conduit surface; the fourth inner conduit surface extending generally radially from the third inner conduit surface to a fifth inner conduit surface; the fifth inner conduit surface extending generally parallel to the central longitudinal axis from the fourth inner conduit surface to a sixth inner conduit surface; the sixth inner conduit surface extending generally radially inwardly from the fifth inner conduit surface; seventh inner conduit surface extending generally parallel to the central longitudinal axis from the sixth inner conduit surface; wherein the third inner conduit surface has a first portion proximate the second inner conduit surface and a second portion remote from the second inner conduit surface; and an annular gasket member comprising a first gasket surface extending generally radially and abutting against the forth inner conduit surface; a second gasket surface extending generally parallel to the

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central longitudinal axis and corresponding to the fifth inner conduit surface; a third gasket surface extending generally radially and corresponding to the sixth inner conduit surface; a fourth gasket surface extending generally parallel to the central longitudinal axis and abutting against the second portion of the third inner conduit surface; a fifth gasket surface extending generally radially inwardly towards the central longitudinal axis from an end of the fourth gasket surface opposite from the first gasket surface; and a sixth gasket surface extending from the fifth gasket surface to the third gasket surface, wherein the sixth gasket surface comprises a sealing member extending radially inwardly. **US patent 3858912, Bower**, discloses an annular retainer member comprising a first retainer surface extending generally parallel to the central longitudinal axis and abutting against a first inner conduit surface; a second retainer surface extending generally radially inwardly from the first retainer surface and abutting against a second inner conduit surface; a third retainer surface extending generally parallel to the central longitudinal axis and abutting against the first portion of the third inner conduit surface; a forth retainer surface extending generally radially inwardly from the third retainer surface and corresponding to a fifth gasket surface. However, the prior art of record does not disclose the combination of the retainer member being fixed to the first conduit member at the second retainer surface; and wherein the gasket member is locked axially towards the end conduit surface by the fourth surface of the retainer member and in a direction away from the end conduit surface by the forth inner conduit surface of the conduit member.

The Examiner recognizes that references cannot be arbitrarily combined and that there must be some reason why one skilled in the art would be motivated to make a proposed combination of primary and secondary references.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron M Dunwoody whose telephone number is 703-306-3436. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P Stodola can be reached on 703-306-5771. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

and 

  
**ERIC K. NICHOLSON**  
**PRIMARY EXAMINER**